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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,140	12/31/2003	Yoshihiro Izumi *	925-280	6877

23117 7590 10/20/2004

NIXON & VANDERHYE, PC
1100 N GLEBE ROAD
8TH FLOOR
ARLINGTON, VA 22201-4714

EXAMINER

SCHECHTER, ANDREW M

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/748,140	Applicant(s) IZUMI ET AL.	
	Examiner Andrew Schechter	Art Unit 2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-14 is/are pending in the application.
- 4a) Of the above claim(s) 14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/863,266.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/31/03, 1/16/04, and 4/26/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "Method of making active matrix substrate with pixel electrodes made of photosensitive conductive material".

2. The abstract of the disclosure is objected to because it is longer than 150 words. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 9-11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Yoritomi et al.*, Japanese Patent Document No. 04-081820 in view of *Tsujimura et al.*, U.S. Patent No. 6,556,271, and further in view of *Tagusa et al.*, U.S. Patent No. 5,946,065.

[The examiner consulted a translator regarding the *Yoritomi* reference; page references are to the original Japanese text. The PTO will provide a full translation of the reference with the next office action (if desired).]

Yoritomi discloses [see Figs. 1-4] a method of making an active matrix substrate, the method comprising forming switching elements disposed in a shape of a matrix [see Figs. 2-3, for instance], gate signal lines [9, 2] controlling the switching elements and extending in a first direction, and source signal lines [10, 5] connected to the switching elements and extending in a second direction perpendicular to the first direction on a front surface of a light permeable substrate [1, transparent glass, see p. 2]; forming a negative type photosensitive transparent conductive material [see abstract] whose exposed parts are left in a pattern, by developing the negative type photosensitive transparent conductive material so as to obtain pixel electrodes by removing unexposed parts of the negative type photosensitive transparent conductive material [see p. 3, the non-exposed parts are removed, leaving the pixel electrodes which have been exposed, hence it is negative type].

Yoritomi does not disclose the additional limitations of forming an interlayer insulating film on the switching elements, the gate signal lines, and the source signal lines, on which is formed the transparent conductive material; and performing exposure from a back surface side of the light permeable substrate in order to expose the negative type photosensitive transparent conductive material in a self-alignment fashion by using the gate and source signal lines as exposure masks.

Tsujimura discloses [see Figs. 1 and 7] forming an interlayer insulating film [9] on the analogous switching elements, the gate signal lines, and the source signal lines, on which is formed the pixel electrode [10'] (which in *Yoritomi* is made of the transparent conductive material); and *Tsujimura* also discloses [see Figs. 1 and 7, col. 3, lines 26-

29, etc.] performing exposure from a back surface side of the light permeable substrate in order to expose the negative type photosensitive transparent conductive material in a self-alignment fashion by using the gate and source signal lines as exposure masks.

Tsujimura discloses that this back exposure method equalizes the capacities [capacitances] of the pixel electrodes and the data lines [col. 1, lines 56-62]; in other words, the pixels have substantially uniform parasitic capacitance between pixel electrodes and signal lines. It would have been obvious to one of ordinary skill in the art at the time of the invention to use this back exposure method in making the device of *Yoritomi*, motivated by *Tsujimura*'s teachings that it provides uniform parasitic capacitances (hence better display quality) as discussed above, that there is no problem of a surface seam resulting from stepper exposure [col. 1, lines 62-63], and that, since the gate and signal lines are already there, there is no need for an additional mask, which reduces the number of manufacturing steps.

As noted above *Tsujimura* discloses forming an interlayer insulating film [9], but it does not provide an explicit teaching (motivation) for doing so. *Tagusa* discloses [see Fig. 10] an analogous device with an analogous interlayer insulating film, and teaches that its existence makes the pixel electrodes flat without being influenced by steps formed by the underlying lines and switching elements, preventing electrical disconnections and disturbances of the liquid crystal molecules, and reducing the number of defective pixels caused by electrical leakage between the signal lines and the pixel electrodes [col. 22, lines 14-26]. It would therefore have been obvious to one of ordinary skill in the art at the time of the invention to form the interlayer insulating film,

as done by *Tsujimura* and *Tagusa*, in the device of *Yoritomi*, motivated by the above teaching of *Tagusa*.

Claim 9 is therefore unpatentable.

Yoritomi discloses [see abstract, etc.] that the negative type photosensitive conductive material comprises a photosensitive resin and conductive particles of indium tin oxide dispersed in the photosensitive resin, so claims 10 and 11 are also unpatentable. The method is for making an active matrix substrate of a flat panel display, so claim 13 is also anticipated.

5. Claims 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kumagai, et al.*, Japanese Patent Document No. 2000-98367 in view of *Tsujimura et al.*, U.S. Patent No. 6,556,271.

Considering claim 9, *Kumagai* discloses [see machine translation provided in the office action of 4 March 2004 in application 09/863,266] a method of making an active matrix substrate comprising: forming switching elements disposed in a shape of a matrix [see paragraph 0022], gate signal lines ["scanning line" attached to gate electrode 2] controlling the switching elements, source signal lines [extended from source electrode 7] connected to the switching elements, forming an interlayer insulating film [11] on the switching elements, the gate signal lines, and the source signal lines; and forming pixel electrodes [13 and 14] over at least the interlayer insulating film and in electrical communication with respective switching elements through contact holes [12] defined in the interlayer insulating film, wherein the pixel electrodes are comprised of a photosensitive conductive material including at least one coloring agent so that at least

some of the pixel electrodes function as both pixel electrodes and color filters [14, part of the pixel electrode, is made of a "conductive color resist" with "photosensitivity", see paragraph 0040]. The pixel electrode of the claim can either be elements 13 and 14 taken together or, as shown in Fig. 10b, the ITO layer of the pixel electrode can be dispensed with, with layer 14 acting alone as the pixel electrode and color filter.

Kumagai also discloses using a glass (light permeable) substrate.

Kumagai does not explicitly disclose the additional limitation that the source signal lines are formed orthogonal to the gate signal lines. The examiner takes official notice that it is well-known and conventional to do so, and that it would have been obvious to one of ordinary skill in the art at the time of the invention to do so with this device, motivated by the desire to make a standard rectangular array which can be driven by a standard arrangement of gate and signal line drivers at the edge of the panel, among other reasons.

Kumagai does not explicitly disclose the additional limitation that the photosensitive conductive material of the pixel electrodes has negative type photosensitivity whose exposed portions are left in a pattern, and performing exposure from a back surface side of the substrate in order to expose the negative type photosensitive transparent conductive material in a self-alignment fashion by using the gate signal lines and source signal lines as exposure masks, and developing it to obtain pixel electrodes by removing the unexposed parts.

Tsujimura discloses using negative type photosensitive material [11] for an analogous layer and using the gate and source lines as masks during exposure of the

material from the back side of the substrate, and then developing by removing the unexposed parts [see Figs. 1 and 7, for instance, col. 3, lines 26-29, etc.]. *Tsujimura* discloses that this back exposure method equalizes the capacities [capacitances] of the pixel electrodes and the data lines [col. 1, lines 56-62]; in other words, the pixels have substantially uniform parasitic capacitance between pixel electrodes and signal lines. It would have been obvious to one of ordinary skill in the art at the time of the invention to use this back exposure method in making the device of *Kumagai*, motivated by *Tsujimura's* teachings that it provides uniform parasitic capacitances (hence better display quality) as discussed above, there is no problem of a surface seam resulting from stepper exposure [col. 1, lines 62-63], and since the gate and signal lines are already there, there is no need for an additional mask, reducing the number of manufacturing steps. Claim 9 is therefore unpatentable.

Kumagai's photosensitive conductive material comprises photosensitive resin and conductive particles of indium tin oxide (ITO) dispersed therein [see paragraph 0056], so claims 10 and 11 are also unpatentable. As noted above, it comprises at least one coloring agent, so claim 12 is also unpatentable. *Kumagai* discloses making a flat panel display device with this active matrix substrate, so claim 13 is also unpatentable.

Election/Restrictions

6. This application contains claims directed to the following patentably distinct species of the claimed invention:

- I. A method of making a flat panel display.
- II. A method of making a flat panel image sensing device.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 9-12 are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

7. During a telephone conversation with Joseph A. Rhoa, Reg. No. 37,515, on 5 October 2004, a provisional election was made without traverse to prosecute the invention of species I, claims 9-13. Affirmation of this election must be made by applicant in replying to this Office action.

8. Claim 14 is withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

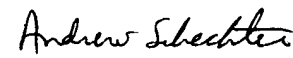
9. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Schechter whose telephone number is (571) 272-2302. The examiner can normally be reached on Monday - Friday, 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on (571) 272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Andrew Schechter
Patent Examiner
Technology Center 2800
14 October 2004